

# WARRANT

For Annual Town Election for Monday, April 1, 2019 and Annual  
Town Meeting to act on the Articles in the Warrant, Saturday, May 4, 2019  
at 9:00 AM in the Walter Silveira Auditorium at the  
Elizabeth I. Hastings Middle School

COMMONWEALTH OF MASSACHUSETTS

BRISTOL: SS

To the Constable of the Town of Fairhaven in said county

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Fairhaven qualified to vote in town elections to meet as follows:

For election, Monday April 1, 2019

Precinct One – Town Hall - William Street entrance  
Precinct Two – Hastings Middle School - Ash Street entrance  
Precinct Three – Hastings Middle School - Ash Street entrance  
Precinct Four – Fire Station Meeting Room - 146 Washington Street  
Precinct Five – Recreation Center - 227 Huttleston Avenue  
Precinct Six – Recreation Center - 227 Huttleston Avenue

In said precincts in said town on Monday, April 1, 2019 at ten o'clock in the forenoon then and there to bring their ballots for question to be voted by ballot, viz:

One Town Clerk for three years, one Selectman for three years, two School Committee members for three years, one Board of Health member for three years, one Commissioner of Trust Funds for three years, one Board of Public Works member for three years, two Planning Board members for four years, one Planning Board member for two-year unexpired term, one Housing Authority member for 5 years and Town Meeting Members in accordance with Section 2 of Chapter 285 of the Acts of 1930 and amendments thereto establishing in the Town of Fairhaven Representative Town Government by limited Town Meeting as follows:

Precinct One: 24 for 3 years – 1 for 2 years – 2 for 1 year  
Precinct Two: 24 for 3 years – 2 for 2 years – 10 for 1 year  
Precinct Three: 23 for 3 years – 3 for 2 years – 14 for 1 year  
Precinct Four: 25 for 3 years – 3 for 2 years – 1 for 1 year  
Precinct Five: 23 for 3 years – 1 for 2 year  
Precinct Six: 24 for 3 years – 1 for 2 years – 1 for 1 year

The polls shall be open from 10:00 AM to 8:00 PM. and the inhabitants qualified as Town Meeting Members shall meet on Saturday, May 4, 2019 at 9:00 AM in the Walter Silveira Auditorium of the Elizabeth Hastings Middle School to act upon the following articles:

RECEIVED  
TOWN CLERK  
2019 MAR 25 P 3:37  
FAIRHAVEN,  
MASS.

## **ARTICLE 1: MEASURER OF WOOD AND BARK**

To see if the Town will vote to instruct the Selectmen to appoint a Measurer of Wood and Bark.

*Petitioned by:* Board of Selectmen

## **ARTICLE 2: TOWN REPORT**

To receive the Annual Report of Town Officers.

*Petitioned by:* Board of Selectmen

## **ARTICLE 3: REPORT OF COMMITTEES**

To hear and act upon the reports of any committees, or committee appointed in Town Meeting and to choose any committees or committee the Town may think proper and to raise and appropriate a sum of money for the expense of same, or to take any other action with relation to either of said matters, as the Town may deem necessary and proper.

*Petitioned by:* Board of Selectmen

## **ARTICLE 4: SEWER CAPITAL FEE – FY19**

To see if the Town will vote to transfer from the Sewer Fund Balance of June 30, 2018 Sewer Capital Fee a sum of money to the Sewer Retained Earnings-Reserved for Capital projects or to take any other action relative thereto.

*Petitioned by:* Board of Public Works

## **ARTICLE 5: AMENDED FY19 GENERAL FUND OPERATING BUDGET**

To see if the Town will vote to amend Article 10 of the May 5, 2018 Annual Town Meeting “General Fund Operating Budget- FY19” or take any other action relative thereto.

*Petitioned by:* Board of Selectmen

## **ARTICLE 6: AMENDED FY19 WATER ENTERPRISE FUND OPERATING BUDGET**

To see if the Town will vote to amend Article 11 of the May 5, 2018 Annual Town Meeting “Water Enterprise Fund Operating Budget-FY19” or take any other action relative thereto.

*Petitioned by:* Board of Public Works

## **ARTICLE 7: AMENDED FY19 SEWER ENTERPRISE FUND OPERATING BUDGET**

To see if the Town will vote to amend Article 12 of the May 5, 2018 Annual Town Meeting “Sewer Enterprise Fund Operating Budget-FY19” or take any other action relative thereto.

*Petitioned by:* Board of Public Works

#### **ARTICLE 8: AMENDED FY19 GENERAL FUND CAPITAL BUDGET**

To see if the Town will vote to amend Article 14 of the May 5, 2018 Annual Town Meeting “General Fund Operating Budget-FY19” or take any other action relative thereto.

*Petitioned by:* Board of Selectmen

#### **ARTICLE 9: AMENDED FY19 WATER ENTERPRISE FUND CAPITAL BUDGET**

To see if the Town will vote to amend Article 19 of the May 5, 2018 Annual Town Meeting “Water Enterprise Operating Budget-FY19” or take any other action relative thereto.

*Petitioned by:* Board of Public Works

#### **ARTICLE 10: AMENDED FY19 SEWER ENTERPRISE FUND CAPITAL BUDGET**

To see if the Town will vote to amend Article 20 of the May 5, 2018 Annual Town Meeting “Sewer Enterprise Operating Budget-FY19” or take any other action relative thereto.

*Petitioned by:* Board of Public Works

#### **ARTICLE 11: BILLS OF PRIOR YEAR – Paid from FY19 funds**

<u>Vendor</u>	<u>Amount</u>	<u>Petitioner</u>
Southern New England Radiology Inc.	\$6.67	Fire Department
Southcoast Hospitals Group	\$310.95	Fire Department
And other bills that may be presented at Town Meeting		

*Petitioned by:* Board of Selectmen

#### **ARTICLE 12: SETTING SALARIES OF TOWN OFFICERS-FY20**

To see if the Town will vote to fix the compensation of the Town’s Elected Officers and that said compensation be effective July 1, 2019.

- A. Board of Selectmen (3 members)
- B. Town Clerk
- C. Moderator
- D. Tree Warden
- E. Board of Health

Or take any other action relative thereto

*Petitioned by: Board of Selectmen*

**ARTICLE 13: FUNDING LABOR CONTRACTS – FY20**

To see if the Town will vote to fund the labor contracts of the Police, Fire, Clerical, Dispatchers, Sewer, Water and Highway unions.

*Petitioned by: Board of Selectmen*

**ARTICLE 14: GENERAL FUND OPERATING BUDGET – FY20**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund the FY20 General Fund Operating Budget or take any other action relative thereto.

*Petitioned by: Board of Selectmen*

**ARTICLE 15: WATER ENTERPRISE FUND OPERATING BUDGET – FY20**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund the FY20 Water Enterprise Fund Operating Budget or take any other action relative thereto.

*Petitioned by: Board of Public Works*

**ARTICLE 16: SEWER ENTERPRISE FUND OPERATING BUDGET – FY20**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund the FY20 Sewer Enterprise Fund Operating Budget or take any other action relative thereto.

*Petitioned by: Board of Public Works*

**ARTICLE 17: GENERAL FUND CAPITAL BUDGET (FY20)**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund, in aggregate without regards to individual line items, the following Capital Equipment/Projects in the General Fund or take any other action relative thereto:

A: Harbormaster/Shellfish Warden – Union Wharf Improvements- South Side	\$250,000
B: Fire – Two Way Radio Upgrade	\$265,000
C: Harbormaster/Shellfish Warden – Phase 5 Dredging Project ( 20% match)	\$179,000

D: Fire – Municipal Fire Alarm System Upgrade	\$66,000
E: BPW- Highway – Replace Six Wheel Dump Truck with Plow #25	\$183,000
D: Police – Police Cruisers	\$90,000
F: Animal Control – Dog Park Construction- (10% match )	\$22,500
G: BPW- Highway – Replace Utility Truck #11	\$58,000
H: Emergency Management – Replace Pick Up Truck with Crew Cab #53	\$52,000
I: Police – Police Vehicles for School Resource Officers	\$75,000
J: School Department – Fairhaven High School Performance Arts Lighting	\$206,000
K: Tree Department – Forestry Bucket Truck	\$160,000
L: Information Technology – Computer Hardware Equipment Replacement	\$30,000
M: Police – Traffic Monitoring Cameras	\$110,000
Or other projects that may be presented at Town Meeting	

*Petitioned by:* Board of Selectmen

#### **ARTICLE 18: ROADWORK – FY19**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money in the aggregate without regards to individual line items to do the following roadwork, in the order of priority as determined by the Board of Public Works or take any other action relative thereto:

- A. Billy's Way – Reconstruct and hard-surface Billy's Way from Sconticut Neck Road westerly approximately 600 feet.

*Petitioned by:* Board of Public Works & Alan Lachat

- B. Chase Road – Reconstruct, hard-surface on Chase Road from Gilbert Street to Raymond Street approximately 225 feet

*Petitioned by:* Board of Public Works & Scot Pomfret

- C. Cottonwood Street – Reconstruct, hard-surface and install drainage on Cottonwood Street from Misty Bay Road to Bass Creek

*Petitioned by:* Board of Public Works & Scot Pomfret

- D. Ebony Street – Reconstruct, hard-surface and install drainage on Ebony Street from Fisherman Road southerly approximately 1040 feet.

*Petitioned by:* Board of Public Works & Scot Pomfret

- E. Fir Street – Reconstruct, hard-surface and install drainage on Fir Street from Bluepoint Road to 166 Fir Street approximately 300 feet.

*Petitioned by:* Board of Public Works & Scot Pomfret

- F. Fir Street – Reconstruct, hard-surface and install drainage on Fir Street from Causeway Road to Fisherman Road a distance of approximately 915 feet

*Petitioned by:* Board of Public Works & Lisa Esten

- G. Fir Street – Reconstruct, hard-surface and install drainage on Fir Street from Fisherman Road to Misty Bay Road a distance of approximately 1560 feet

*Petitioned by:* Board of Public Works & Scot Pomfret

- H. Fir Street – Reconstruct, hard-surface and install drainage on Fir Street from Causeway Road to Fisherman Road a distance of approximately 915 feet

*Petitioned by:* Board of Public Works & Scot Pomfret

- I. Fir Street – Reconstruct, hard-surface and install drainage on Fir Street from Causeway Road to Bluepoint Road a distance of approximately 680 feet

*Petitioned by:* Board of Public Works & Scot Pomfret

- J. Fisherman Road – Reconstruct, hard-surface and install drainage on Fisherman Road from Balsam Street to Fir Street a distance of approximately 1050 feet

*Petitioned by:* Board of Public Works &

- K. Gull Island Road – Reconstruct, hard-surface and install drainage on Gull Island Road from Balsam Street to Fir Street a distance of approximately 1000 feet

*Petitioned by:* Board of Public Works & Scot Pomfret

- L. Dogwood Street – Reconstruct, hard-surface and install drainage on Dogwood Street from Fisherman Road to Misty Bay Road a distance of approximately 1560 feet

*Petitioned by:* Board of Public Works & Scot Pomfret

M. Littleneck Road – Reconstruct, hard-surface and install drainage on Littleneck Road from Alder Street to Ebony Street a distance of approximately 945 feet

*Petitioned by:* Board of Public Works & Scot Pomfret

N. Misty Bay Road – Reconstruct, hard-surface and install drainage on Misty Bay Road from Balsam Street to Fir Street a distance of approximately 1000 feet

*Petitioned by:* Board of Public Works & Scot Pomfret

O. Rocky Point Road – Reconstruct, hard-surface and install drainage on Rocky Point Road from Balsam Street to Cottonwood Road a distance of approximately 400 feet

*Petitioned by:* Board of Public Works & Scot Pomfret

P. Balsam Street – Reconstruct, hard-surface and install drainage on Balsam Street from Cherrystone Road to Scallop Street distance of approximately 610feet

*Petitioned by:* Board of Public Works & Scot Pomfret

Q. Bluepoint Road– Reconstruct, hard-surface and install drainage on Bluepoint Road from Almond Street to Fir Street a distance of approximately 1100 feet

*Petitioned by:* Board of Public Works & Scot Pomfret

R. Cottonwood Street -- Reconstruct, hard-surface and install drainage on Cottonwood Street from Cherrystone Road to Scallop Road a distance of approximately 575 feet

*Petitioned by:* Board of Public Works & Scot Pomfret

S. Ebony Street – Reconstruct, hard-surface and install drainage on Ebony Street from Fisherman Road to Misty Bay Road a distance of approximately 1560 feet

*Petitioned by:* Board of Public Works & Scot Pomfret

## **ARTICLE 19 – STATE AID TO HIGHWAYS – FY20**

A. To see if the Town will vote to authorize the Board of Public Works to accept and enter into contract for the expenditure of any funds allotted or to be allotted by the Commonwealth of Massachusetts for the construction, reconstruction and improvements of Town roads, or take any other action relative thereto.

B. To see if the Town will vote to appropriate and transfer from available funds a sum of money for capital improvements on local roads, subject to the conditions detailed by the

Massachusetts Highway Department pursuant to the MGLS and Transportation Department's Chapter 90 Guidelines, or to take any other action relative thereto.

*Petitioned by:* The Board of Public Works

**ARTICLE 20: FUNDING CAPITAL STABILIZATION FUND – FY20**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, including surplus revenue (Free Cash) and reimbursement from the state for school capital projects, to be deposited in the Capital Stabilization Fund as authorized by Chapter 40, Section 5B of the General Laws, or take any other action relative thereto

*Petitioned by:* Board of Selectmen

**ARTICLE 21: AMBULANCE STABILIZATION – FY20**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money not to cumulatively exceed \$50,000 to be deposited in an Ambulance Stabilization Fund as authorized by Chapter 40 Section 5B of the General Laws, or take any other action relative thereto.

*Petitioned by:* Fire Chief

**ARTICLE 22: WATER ENTERPRISE CAPITAL PLAN – FY20**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money in aggregate without regards to individual line items from the Water Enterprise account to fund the following Capital Equipment/Projects or take any other action relative thereto:

A. Meter Reading System (Borrowing)	\$1,500,000
B. Pick Up Truck -Replaces Unit 133 (Retained Earnings)	\$54,000
TOTAL:	\$1,554,000

*Petitioned by:* Board of Public Works

**ARTICLE 23: SEWER ENTERPRISE CAPITAL PLAN – FY20**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money in aggregate without regards to individual line items from the Sewer Enterprise account to fund the following Capital Equipment/Projects or take any other action relative thereto:

A: Manhattan Avenue Pump Replacements (Retained Earnings)	\$50,000
B: Integrated Instrumentation System Replacement (Retained Earnings)	\$50,000



C: Inflow/Infiltration Reduction Project (Retained Earnings)	\$250,000
TOTAL:	\$350,000

*Petitioned by:* Board of Public Works

**ARTICLE 24: COMMUNITY PRESERVATION PROGRAM APPROPRIATIONS -FY19**

To see if the Town will vote to amend Article 21 of the May 5, 2019 Annual Town Meeting;  
Community Preservation Program Appropriations, FY19.

*Petitioned by:* Community Preservation Committee

**ARTICLE 25: COMMUNITY PRESERVATION PROGRAM APPROPRIATIONS –  
FY20**

To see if the Town will vote to appropriate or to reserve for later appropriation, and to authorize the Community Preservation Committee to expend or reserve, from the Community Preservation Fund available funds and FY20 Estimated Receipts as set forth herein, a sum of money for community preservation purposes, with such expenditures to be subject to conditions to be specified in applications and award letters from the Community Preservation Committee

*Petitioned by:* Community Preservation Committee

**ARTICLE 26: REVOLVING FUNDS – FY20**

To see if the Town will authorize and / or re-authorize various Revolving Accounts under the provisions of Massachusetts General Law Chapter 44 Section 53 E ½  
Or take any other action relative thereto:

*Petitioned by:* Board of Selectmen

**ARTICLE 27: SOCIAL DAY CARE CENTER – FY20**

To see if the Town will vote to authorize the Fairhaven Council on Aging to expend in the Fiscal Year 2020 a sum of money not to cumulatively exceed \$160,000.00 from the Grant Account known as “Receipts Reserved for Appropriation for Fairhaven Supportive Social Day Program” for the purpose of providing a Social Day Program for Senior Citizens or take any other action relative thereto.

*Petitioned by:* Council on Aging

**ARTICLE 28: PROPAGATION OF SHELLFISH-FY20**

To see if the Town will vote to raise and appropriate, borrow or transfer an amount not to exceed \$20,000.00 from available funds for the propagation of shellfish, or take any other action relative thereto.

*Petitioned by:* Board of Selectmen

**ARTICLE 29: SENIOR WORK-OFF PROGRAM – FY20**

To see if the Town will vote to continue the provisions of MGL, Chapter 59, Section 5C-Senior Work for a total authorization of \$10,000 or take any other action relative thereto

*Petitioned by:* Council on Aging

**ARTICLE 30: TRANSFER FROM SURPLUS REVENUE-FY20**

To see if the Town will vote to transfer a sum of money from Surplus Revenue for the reduction of the tax levy, or take any other action relative thereto.

*Petitioned by:* Board of Selectmen

**ARTICLE 31: CITIZEN PETITION-STREET LIGHT REQUEST – CORNER OF PETER LANE AND MCKENSIE LANE – TWO LIGHTS**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money for the installation and maintenance of two street lights at the corner of Peter Lane and McKensie Lane or take any other action relative thereto:

*Petitioned by:* David Paulson

**ARTICLE 32: CITIZEN PETITION-STREET LIGHT REQUEST – 46 TORRINGTON ROAD – ONE LIGHT**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money for the installation and maintenance of a street light at 46 Torrington Road or take any other action relative thereto:

*Petitioned by:* Norman Beauregard

**ARTICLE 33: PETITION THE LEGISLATURE: RESTAURANT ALL ALCOHOL LICENSE AT HAMPTON INN, 1 HAMPTON WAY**

To see if Town Meeting will vote to authorize the Board of Selectmen to petition the General Court for the passage of legislation authorizing the issuance of a Restaurant /All Alcohol License to the Hampton Inn by Hilton, 1 Hampton Way, in the Town of Fairhaven, notwithstanding any limitations on the number of licenses issued under the provisions of Chapter 138 of the Massachusetts General Laws, as amended. This license is non-transferable to another location

bur the licensing authority may grant the license to a new applicant ant the same location. Or take any other action relative thereto.

*Petitioned by:* The Hampton Inn by Hilton

**ARTICLE 34: TRANSFER FROM SURPLUS REVENUE TO FUND SPECIAL EDUCATION RESERVE FUND**

To see if Town Meeting will vote to transfer a sum of money from Surplus Revenue for the reduction of thee tax levy, or take any other action relative thereto.

*Petitioned by:* Board of Selectmen

**ARTICLE 35: OTHER BUSINESS**

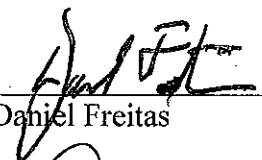
To act upon any other business which may legally come before this meeting.

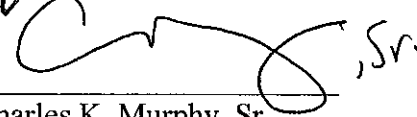
And you are hereby directed to serve this warrant by posting an attested copy thereof on or near the front or main entrance of the polling place in Precinct 1, Town Hall; and on or near the entrance of the polling place in Precinct 2 and 3, Elizabeth I. Hastings Middle School, School Street; and on or near the entrance of the polling place in Precinct 4, Fire Station meeting room, 146 Washington Street; and on or near the front or main entrance of the polling place in Precinct 5 and 6, Recreation Center, 227 Huttleston Ave; seven days at least prior to the date of the meeting.

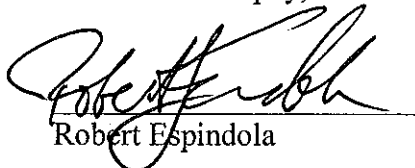
HEREOF FAIL NOT, and make due return of this warrant to the Town Clerk at the time and place of the meeting aforesaid.

Given under our hands this 25 day of March in the year two thousand nineteen.

Selectmen of Fairhaven,

  
Daniel Freitas

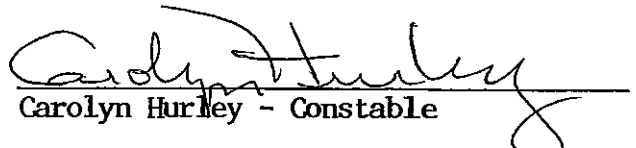
  
Charles K. Murphy, Sr.

  
Robert Espindola

I, Carolyn Hurley, Constable of the Town of Fairhaven, do hereby certify that I have duly served this Warrant as required by the General Laws of Massachusetts and the By-Laws of the Town of Fairhaven by posting an attested copy thereof in the six precincts and/or polling placed on March 25, 2019

A true copy, ATTEST:

Constable of Fairhaven

  
Carolyn Hurley - Constable